

### **REMARKS**

This response is filed together with a Request for Continued Examination (RCE) and responds to the Final Office Action dated October 16, 2006. The application is presently on appeal and the RCE should be treated as a request to withdraw the appeal and to reopen prosecution of the application before the Examiner. Claims 25-31 are pending. Claim 25 has been amended in accordance with Examiner's statements in the Advisory Action dated April 2, 2007. Individual issues raised by the Examiner are addressed next.

#### **Rejection Under 35 U.S.C. §§ 102 and 103**

In Paragraphs 4-6 of the Office Action the rejection of claim 25 under 35 U.S.C. § 102(e) as being anticipated by U.S. patent 5,999,933 to Mehta ("Mehta") was maintained substantially as set forth in the previous Office Action dated February 2, 2006. Applicant respectfully disagrees.

In response to the October 2006 Office Action, applicant argued that Mehta does not anticipate claim 25 because Mehta does not disclose "the database having been compressed by storing information regarding distinct values of an attribute and information regarding the number of occurrences of distinct values," as recited in the claim. In the April 2, 2007 Advisory Action, however, the Examiner pointed out that a preamble is generally not accorded any patentable weight where it merely recites the purposes of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness, but, instead, the process steps or structural limitations are able to stand alone.

Applicant respectfully disagrees with the above characterization. However, in an attempt to advance the prosecution of this case, applicant has amended claim 25 so that the limitation of "the database having been compressed by storing information regarding distinct values of an attribute and information regarding the number of occurrences of distinct values" is recited in the body of claim 25. Accordingly, the Examiner's objections set forth in the Advisory Action concerning the preamble limitation are believed to have been addressed.

Applicant disagrees with other rejections in the October 2006 Office Action and corresponding statements in the April 2007 Advisory Action. Applicant respectfully maintains the arguments made in the February 2007 response. However, in view of the above amendment claim 25 is believed to be allowable. Claims 26-31 that presently stand

rejected under 35 U.S.C. 102 and 103 are also allowable because they depend on allowable claim 25.

**Information Disclosure Statement**


Applicant respectfully requests that the Examiner considers the IDS and accompanying references submitted on February 16, 2007 and resubmitted on March 5, 2007.

**Conclusion**

In light of the above amendment to claim 25, applicant respectfully requests that the Examiner reconsider this application with a view toward allowance. The Examiner is invited to call the undersigned attorney, if a telephone call could help resolve any remaining items.

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Respectfully submitted,



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